HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO. 1914 OF 2007

DATED: 5.2.2007

Between:

Mohammed Ahmedj son of M.A.Rawoof

.Petitioner

and

Municipal Corporation of Hyderbad, rep. by its Commissioner, Hyderabad and another

...Respondents

THE HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO.1914 OF 2007

ORAL ORDER:

The writ petition is filed alleging that the respondents are interfering with his property bearing Municipal No.12-2-827/29/1, Kranthi Nagar, Mehdipatnam, Hyderabad without following the due process of law.

The petitioner claims to have purchased the said property by a registered document of 2006. The petitioner also claims that his predecessors-in-title have perfected title to this land in Sy.No.8; that the official respondents with an intention to expand the area of Kranthi Nagar park have come to the premises on 31-01-2007, tried to demolish the wall separating the petitioner's premises and the park; and the petitioner was able to stall the said unlawful demolition operation with much difficulty. The petitioner asserts that even without following the procedure for acquisition of the land the respondents are trying to highhandedly and unlawfully interfere with his possession and enjoyment of the land in question.

Sri Ghanta Ramarao, the learned counsel for the respondent, on instructions, states that the petitioner is in illegal occupation of the land earmarked for a park in the approved lay out and the respondents do intend to recover possession of the land in question for the purpose of maintaining the park therein also. It is stated that the respondents would initiate

appropriate proceedings in accordance with law to recover their possession.

As the respondent states that no unlawful action would be taken to dispossess the petitioner, the petitioner's complaint need not be gone into. The writ petition is accordingly dismissed with liberty to the petitioner to pursue appropriate remedies in accordance with law as and when the respondents seek to dispossess the petitioner and initiate proceedings for the said purpose. In the circumstances there shall be no order as to costs.

GODA RAGHURAM,J

5th FEBRUARY,2007

Note:
Issue CC as soon as possible
(B/o)
***TSNR**